

Readoption Review

Sanitation of Bed and Breakfast Establishments 410 IAC 7-15.5

IC 4-22-2.5-3.1(c) requires an agency to conduct a review to consider whether there are alternative methods of achieving the purpose of the rule that are less costly or less intrusive, or that would minimize the economic impact of the proposed rule on small business.

Description of Rule:

This rule spells out food safety requirements for bed and breakfast establishments in Indiana.

Readoption Analysis:

- 1) **Is there a continued need for this rule?**
Yes, there is a need to continue to provide this protection for consumers who use these facilities. There are no other food safety rules in place other than this one for these establishments.
- 2) **What is the nature of any complaints or comments received from the public, including small business, concerning the rule or the implementation of the rule by the agency?**
We have not had any complaints on this rule that we are aware of. In the early 1990's the bed and breakfast associations sought legislation to create this class of establishments and required ISDH create a rule to regulate these firms. This was done in cooperation with the associations and they still wish to have this in place to sanction and affirm their industry and to ward off firms that do not want to adhere to the basic food safety requirements.
- 3) **Examine the complexity of the rule, including difficulties encountered by the agency in administering the rule and small businesses in complying with the rule.**
We have not encountered difficulties with administering this rule.
- 4) **To what extent does the rule overlap, duplicate, or conflict with other federal, state, or local laws, rules, regulations, or ordinances?**
There are no federal food safety rules in place for bed and breakfast establishments. Local ordinances cannot conflict with ISDH food safety rules, so there are no conflicts.
- 5) **When was the last time the rule was reviewed under this section or otherwise evaluated by the agency, and the degree to which technology, economic conditions, or other factors have changed in the area affected by this rule since that time?**
It has been many years since it has been fully evaluated and it is past due to be updated, but we have not been able to because of staff resources and time commitments. However, the current rule is sufficient until the rule can be updated.